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1 would move to table.

2 REPRESENTATIVE RAYMOND: Mr. Speaker?

3 SPEAKER: Mr. Raymond, for what purpose?

4 REPRESENTATIVE RAYMOND: Does the gentleman
5 yield?

6 SPEAKER: The gentleman yields.

7 REPRESENTATIVE PHILLIPS: Briefly. It's
8 been a busy night. They keep growing.

9 REPRESENTATIVE RAYMOND: It won't be more
10 than about 8 minutes.

11 Very simply, I guess I want to ask you do
12 you -- do you believe that this bill should comply with
13 the Voting Rights Act?

14 REPRESENTATIVE PHILLIPS: I believe that we
15 need to follow the law and make sure that we comply with
16 every constitutional requirement that is imposed on us
17 as a body.

18 Now, what your -- this is a specific section
19 and -- and portion of the Voting Rights Act. I don't
20 know if those sections apply to this. That would be up
21 to the -- that will be up to ultimately the Supreme
22 Court to determine, and that's who we need to let
23 determine it.

24 I don't think we need to be second guess
25 what they do mean and don't mean and whether all of

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1 these provisions apply.

2 REPRESENTATIVE RAYMOND: Well, let me ask --
3 because I see a troubling pattern here.

4 REPRESENTATIVE PHILLIPS: I can't hear you.

5 REPRESENTATIVE RAYMOND: Let me ask, because
6 I see a troubling pattern, a simple question. Do you
7 believe that the Voting Rights Act is a good law?

8 REPRESENTATIVE PHILLIPS: That is not a
9 question before this. There are issues -- there are
10 issues of whether all of the Voting Rights Act are
11 necessary at this time. There are parts of it that are
12 important, have been important to transform elections in
13 this -- in this nation.

14 REPRESENTATIVE RAYMOND: So, you believe --
15 so, you don't believe that this -- the Voting Rights Act
16 is necessarily necessary?

17 REPRESENTATIVE PHILLIPS: Mr. Raymond, I'm
18 not going --

19 REPRESENTATIVE RAYMOND: No. No.

20 REPRESENTATIVE PHILLIPS: I'm not going to
21 get into --

22 REPRESENTATIVE RAYMOND: No. No. This is
23 important.

24 REPRESENTATIVE PHILLIPS: Hold on. Let me
25 answer.

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1 REPRESENTATIVE RAYMOND: Let me ask my
2 question. Let me ask my question and then you can
3 answer. You're a smart guy.

4 REPRESENTATIVE PHILLIPS: You ask a question
5 and then you answer the question and then you ask a
6 question and you won't let me answer.

7 REPRESENTATIVE RAYMOND: No. No. Okay.

8 Let me -- because I didn't ask it correct -- I didn't
9 ask it clearly, I think.

10 Do you believe -- do you believe that --

11 Mr. Phillips --

12 REPRESENTATIVE PHILLIPS: Go ahead. I'm
13 waiting for your question.

14 REPRESENTATIVE RAYMOND: Let me ask this:
15 Do you recognize that Texas is a protected -- do you
16 know or do you recognize if Texas is a protected state
17 under the Voting Rights Acts? Just yes or no.

18 REPRESENTATIVE PHILLIPS: Yes, I do.

19 REPRESENTATIVE RAYMOND: Okay. So --

20 REPRESENTATIVE PHILLIPS: The federal
21 government, under George Bush, they voted to extend the
22 Voting Rights Act for 25 years. Yes, they did.

23 REPRESENTATIVE RAYMOND: Okay. So, you
24 recognize we're covered by that then?

25 REPRESENTATIVE PHILLIPS: Yes, and that's

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1 the whole point. If we're covered by that, we're
2 covered by that, and we don't need to say oh -- you're
3 trying to impose something on this bill from a federal
4 perspective. We either are or we aren't.

5 REPRESENTATIVE RAYMOND: Exactly. All I'm
6 saying with this amendment -- all I'm saying with this
7 amendment -- and this is why I'm baffled as to why you
8 would move to table it -- is that if we don't comply
9 with the Voting Rights Act, it should not become a law.

10 Is it your position if it does not comply
11 with the Voting Rights Act, it should still become law?

12 REPRESENTATIVE PHILLIPS: You're bringing
13 sections in and say that this has to apply to every
14 provision and --

15 REPRESENTATIVE RAYMOND: No. No. No.

16 REPRESENTATIVE PHILLIPS: -- that's not what
17 we need to do. We need to leave that for the federal
18 government -- I mean, for the courts to decide whether
19 we comply because the lawyers have worked through this
20 to craft this, and we do not want to do anything that's
21 going to violate -- that's what we're going to do.

22 REPRESENTATIVE RAYMOND: This -- this very
23 specifically -- what you just said isn't accurate,
24 Larry. This amendment very specifically -- this applies
25 just to one section of the bill --

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1 REPRESENTATIVE PHILLIPS: Right.

2 REPRESENTATIVE RAYMOND: -- the voter
3 identification education section, that's all.

4 REPRESENTATIVE PHILLIPS: Okay.

5 REPRESENTATIVE RAYMOND: If you look at the
6 amendment --

7 REPRESENTATIVE PHILLIPS: You're asking to
8 include, right -- you're asking to include and say this
9 section of federal law applies to what we're doing.
10 That's part of the -- I don't -- I mean, from our --
11 from my perspective, I don't need -- know that we need
12 to be here saying, well, gosh, we want everything to
13 apply to everything we do.

14 If it's covered by it, it's covered by it,
15 Mr. Raymond. We don't need to include it.

16 REPRESENTATIVE RAYMOND: Surely, you do --

17 REPRESENTATIVE PHILLIPS: We don't determine
18 that.

19 REPRESENTATIVE RAYMOND: Well, let me -- I
20 want to make sure I'm hearing you right. Surely, you
21 would want us to comply with federal voting rights --

22 REPRESENTATIVE PHILLIPS: Mr. Raymond,
23 that's exactly --

24 REPRESENTATIVE RAYMOND: -- laws?

25 REPRESENTATIVE PHILLIPS: -- the point that

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1 we've been making.

2 REPRESENTATIVE RAYMOND: You do want us to
3 comply with -- so I'm clear, you do want this -- you do
4 want --

5 REPRESENTATIVE PHILLIPS: No. We want to
6 comply with federal law.

7 REPRESENTATIVE RAYMOND: Okay. So, you
8 do --

9 REPRESENTATIVE PHILLIPS: And that's exactly
10 the intended purpose of what we're doing here today in
11 trying to comply with federal law, and that's why we're
12 trying to keep this bill simple and the whole procedure
13 simple instead of adding stuff to it that may trigger a
14 section that does or does not apply. I don't see the
15 problem with it.

16 REPRESENTATIVE RAYMOND: Again, are you
17 saying that you want Senate Bill 14, the section that
18 I -- the voter identification education section, do you
19 want it to comply with the federal voting rights laws?

20 REPRESENTATIVE PHILLIPS: I want this to
21 comply with Federal Rules, and if those voting rights
22 laws that are in effect apply to this and they are
23 constitutional, the Supreme Court will uphold it, and if
24 they don't, they won't.

25 REPRESENTATIVE RAYMOND: Well, then all

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1 the -- all my amendment says --

2 REPRESENTATIVE PHILLIPS: No. Your
3 amendment says this has to apply here, and -- and that's
4 something we're saying we're not going to start doing.
5 We could go through and say we want the entire
6 constitution of the United States to apply to this law.
7 It either does or it doesn't. We don't need to do that
8 as a state.

9 REPRESENTATIVE RAYMOND: We're taking
10 about --

11 REPRESENTATIVE PHILLIPS: The federal
12 government -- the federal government passes the laws
13 that they do, and we're either going to follow those
14 laws or we're not. We either have to or we don't. And
15 that is part of the debate that is going on across this
16 nation of what we do. And we do not want to -- we don't
17 want to incorporate federal -- we're trying to stop
18 federal laws that we don't agree with.

19 REPRESENTATIVE RAYMOND: So, you believe
20 that -- so I'm clear, you believe that this section of
21 the bill, which deals with language, right, voter
22 identification education and the words language are used
23 in that section of the bill, you believe that they may
24 not need to comply with the Voting Rights Act; is that
25 correct?

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1 REPRESENTATIVE PHILLIPS: No. Either --
2 they either do or they don't.

3 REPRESENTATIVE RAYMOND: And if they don't,
4 then it should not -- it should not --

5 REPRESENTATIVE PHILLIPS: No. Then you're
6 starting to put a requirement or a hurdle that may or
7 may not need to be there.

8 REPRESENTATIVE RAYMOND: Larry, how could
9 you -- how could you honestly look at me and say --
10 we're talking about --

11 REPRESENTATIVE PHILLIPS: Because --

12 REPRESENTATIVE RAYMOND: Let me finish my
13 question.

14 How could you honestly look at me and say we
15 have a major piece of legislation here -- how could you
16 look at me and honestly say we have a major piece of
17 legislation here and the section of the bill that deals
18 with voter identification education and uses the word
19 language because, obviously, in the State of Texas,
20 there are people like my grandmother who didn't speak
21 English but who was a United States citizen her whole
22 life, that that would not be covered and should not be
23 covered by the Voting Rights Act? How could you
24 honestly say that, Larry?

25 SPEAKER: Representative Allen has raised a

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1 point of order that the gentleman's time is expired.

2 The point of order is well taken and sustained.

3 The Chair recognizes Representative Raymond
4 to close.

5 REPRESENTATIVE RAYMOND: Again, Members,
6 it's -- it is -- it is frustrating in the year 2011 to
7 stand up here and be debating members of this
8 legislature who do not want -- who appear to be -- do
9 not want the Voting Rights Act to apply to this bill.

10 It is -- it is disheartening, it is wrong,
11 and I think in the end you will not prevail. We shall
12 overcome. I move adoption.

13 I move to reduce to writing the exchange
14 between Mr. Taylor and myself and my closing remarks to
15 writing and put in the journal.

16 SPEAKER: You've heard the motion. Is there
17 objection?

18 The Chair hears none. So ordered.

19 Mr. Raymond sends up an amendment. Mr.
20 Phillips move to table. The question is on the motion
21 to table. Vote aye, vote no. Show Mr. Raymond voting
22 no. Mr. Phillips voting aye. Show Mr. Gonzales voting
23 aye. Mr. Pena voting aye. Mr. Driver voting aye.
24 Mr. Gutierrez voting no. Ms. Truitt voting aye. Show
25 Ms. Harless voting aye. Ms. Giddings voting no.

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1 Have all voted? Show Ms. Truitt voting aye.

2 There being 100 ayes, 49 nays, motion to table prevails.

3 Following the amendment, the clerk will read
4 the amendment.

5 CLERK: Amendment by Dutton.

6 SPEAKER: The Chair recognizes
7 Representative Dutton.

8 REPRESENTATIVE DUTTON: Thank you, Mr.
9 Speaker, Members. This is an amendment that if you'll
10 recall on the very first day this bill was out here,
11 there was some confusion about whether or not the bill
12 specified calendar days or business days.

13 What this amendment does, it says simply
14 seven business days, which conforms to the Election Code
15 in regard to provisional ballots.

16 And so, with that, I move -- I don't know if
17 they've had a chance to look at it. If you all don't
18 mind -- you all don't like it? Okay. Then I would wait
19 to close, Mr. Speaker.

20 SPEAKER: The Chair recognizes
21 Representative Harless.

22 REPRESENTATIVE HARLESS: Thank you, Members.
23 This -- we kind of had some debate about this on Monday.
24 This is the six days -- business days. It's changing to
25 seven business days.

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1 The problem with this is that provisional
2 ballots have to be counted within seven days, and if we
3 extend it to seven days, we are not looking in the Code
4 for the counting of the provisional ballots. So, I ask
5 that you table this amendment.

6 SPEAKER: The Chair recognizes
7 Representative Dutton to close.

8 REPRESENTATIVE DUTTON: Mr. Speaker and
9 Members, if I agreed with her, I would vote yes on the
10 motion to table but the fact of the matter is that's not
11 the case.

12 If you'll read the amendment, what this
13 amendment does is changes it to seven business days. It
14 was currently -- under the bill, it was six -- it was
15 six days, not six business days or six calendar days but
16 this just simply changes it to seven business days.

17 In addition, what we also did, if you'll
18 look on line 11, rather than the 7th day after the
19 election, it changes it to the 9th day. And so, that's
20 what the difference is.

21 And the reason I offer this is because if
22 you count the days from say a Tuesday on an election day
23 and if you had two holidays -- if you had two days that
24 were holidays, that it seemed to me that it was fairer
25 to make it 7 business days as opposed to 6 calendar days

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1 because 1 of those 6 days or 2 of those 6 days could be
2 taken up in a holiday period.

3 And so, therefore, it was unclear as to
4 whether or not you would still count those days because
5 the bill doesn't specify that. My amendment makes it
6 clear, however, that it is 7 business days and you have
7 to do it by then.

8 It also, again, changes what Ms. Harless
9 complains about from being the 7th day to the 9th day
10 after the election. And so, that's what the amendment
11 does, and I would ask you to vote no on the motion to
12 table.

13 SPEAKER: Mr. Dutton sends up an amendment.
14 Ms. Harless moves to table. This is on the motion to
15 table. Vote aye, vote no. Show Ms. Harless voting aye.
16 Mr. Dutton voting no.

17 Have all voted? Show Mr. Gonzales voting
18 aye. Have all voted? Being 99 ayes, 48 nays, motion to
19 table prevails.

20 The Chair recognize Representative Hunter
21 for a motion.

22 REPRESENTATIVE HUNTER: Mr. Speaker,
23 Members, I move to suspend all necessary rules to allow
24 the Committee on Calendars to consider and set a
25 calendar at 6:45 p.m. today in place 3W15.

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1 I also request permission for the Committee
2 on Calendars to meet while the House is in session at
3 6:45 p.m. today in 3W15 to consider and set a calendar.

4 SPEAKER: Members, you've heard the motion.
5 Is there objection?

6 The Chairs hears none. So ordered.

7 The Chair recognizes Representative Phillips
8 for an announcement.

9 REPRESENTATIVE PHILLIPS: Thank you, Mr.
10 Speaker, Members. Those on the Transportation
11 Committee, we're going to cancel the transportation
12 continuation of the hearing tonight and we'll be posting
13 for Monday to finish what we need to. We'll do all that
14 posting later. Monday at 9:00.

15 SPEAKER: Following the announcement, the
16 clerk will read the announcement.

17 CLERK: The Committee on Calendars will meet
18 at 6:45 p.m. on March 23rd, 2011 at 3W.15. This will be
19 a formal meeting to consider and set a calendar.

20 SPEAKER: Following the amendment, the clerk
21 will read the amendment.

22 CLERK: Amended by Hernandez Luna.

23 SPEAKER: The Chair recognizes Ms.
24 Hernandez Luna.

25 REPRESENTATIVE HERNANDEZ LUNA: Thank you,

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1 Mr. Speaker, Members. This you can call the Anna
2 Hernandez Luna amendment. This is for married -- women
3 that have been recently married or divorced prior to an
4 election and their driver's license may not match with
5 their names on the registered voters' list.

6 Currently the bill allows for the election
7 officer to make a determination of whether that name is
8 substantially similar but I think if I show up to vote
9 and I show my driver's license that I should be able to
10 sign an affidavit stating that I am who I say I am under
11 penalties of perjury by signing that affidavit.

12 SPEAKER: Ms. Hernandez Luna sends up an
13 amendment. There's objection to the amendment. It's a
14 record vote on the amendment. This is on the amendment.
15 Clerk ring the bell. Show -- show Ms. Hernandez -- this
16 is on the amendment. Show Ms. Hernandez -- Hernandez
17 Luna voting -- voting aye. Show Ms. Harless voting no.
18 Show Mr. Lucio voting aye. Show Mr. Martinez Fischer
19 voting aye.

20 Have all voted? Show Mr. Veasey voting aye.
21 Have all voted? There being 49 ayes and 99 nays, the
22 amendment fails to adopt.

23 Following the amendment, the clerk will read
24 the amendment.

25 CLERK: Amendment by Burnam.

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1 SPEAKER: The Chair recognize Representative
2 Burnam.

3 REPRESENTATIVE BURNAM: Mr. Speaker,
4 Members, we alluded to this amendment earlier this
5 afternoon when we were discussing the problem with the
6 program that, frankly, disenfranchises, from a driving
7 standpoint, over a hundred thousand Texans every year.

8 This amendment would address that. It says
9 a temporary driving permit issued by the Department of
10 Public Safety following the revocation of a driver's
11 license. We alluded to the form and the permit, which
12 has to be signed by an officer. This is not something
13 that's likely to be forged but it would allow these
14 people who are in this transitional situation the
15 opportunity to vote in the event that this occurs the
16 week before or two weeks before an election.

17 Move its adoption.

18 SPEAKER: Representative Burnam sends up an
19 amendment. There is objection to the amendment. The
20 question occurs on the adoption of the Burnam amendment.
21 Vote aye, vote nay. Show Mr. Burnam voting aye. Show
22 Ms. Harless voting no. Mr. Lucio voting aye. Mr.
23 Anchia voting aye. Mr. Strama voting aye. Show
24 Mr. Eiland voting aye.

25 Have all voted? Being 48 ayes and 100 nays,

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1 the amendment failed to adopt.

2 Following the amendment, the clerk will read
3 the amendment.

4 CLERK: Amendment by Anchia.

5 SPEAKER: The Chair recognizes
6 Representative Anchia.

7 REPRESENTATIVE ANCHIA: Thank you,
8 Mr. Speaker and Members. The -- the bill that we have
9 before us creates all sorts of affidavits and
10 exceptions, some of which have been removed but that the
11 removal of those exceptions potentially create problems
12 in terms of the constitutionality. No longer do we have
13 an age exception. No longer do we have an indigent
14 exception. No longer do we have a religious --
15 religious objection. All of those have been removed,
16 which I think creates a problem for this bill.

17 So, this amendment does something very
18 simple. It says if you have your photo ID, terrific,
19 you vote. If you have -- if you show up with your voter
20 registration certificate, you vote a provisional ballot.
21 Okay.

22 That provisional ballot then goes before --
23 excuse me. That provisional ballot is accompanied by an
24 affidavit that you sign. Okay. That provisional ballot
25 and affidavit is then sealed and it's sent to the Ballot

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1 Board. The Ballot Board, as all of you know, came with
2 elections. They are bipartisan boards that each county
3 has.

4 When the Ballot Board looks at the
5 provisional ballot, they will do a signature match of
6 the affidavit and the application to register to vote
7 that they have on file. That signature match is then
8 currently with mail in ballots. Okay. So, this
9 legislature believes that the mail in ballot signature
10 match is good enough for an anonymous form of voting.
11 This signature match would (Inaudible) for an in person
12 form of voting with an affidavit, a signature match and
13 then the provisional ballot would become a regular
14 ballot if the signatures were substantially similar as
15 established by the Ballot Board.

16 This will obviate the need for someone to
17 come back six days later and try to prove up their
18 identity. This would occur just like -- these ballots
19 would be canvassed just like provisional ballots are
20 canvassed -- excuse me -- just like mail in ballots are
21 canvassed, and we don't have to worry about six days
22 later, we don't have to worry about any of the
23 affidavits that are currently in the bill or the
24 exceptions that are currently in the bill. You wipe out
25 all of the exceptions and you just treat all people that

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1 come in with a voter registration card the same way.
2 They vote a provisional ballot, they then do a signature
3 match.

4 It's simple. They do this in the State of
5 Florida. It works very well, and it will prevent Texans
6 from being left behind. I think this is a reasonable
7 approach and a much better approach than is currently
8 contained in this bill. I move adoption.

9 SPEAKER: The Chair recognizes
10 Representative Hancock in opposition.

11 REPRESENTATIVE HANCOCK: Yes, Members, I
12 move to table this bill. This actually weakens the bill
13 due to treating provisional ballots as absentee ballots.
14 I move to table.

15 SPEAKER: Mr. Strama, for what purpose?

16 REPRESENTATIVE STRAMA: For a question.
17 Will the gentleman yield for a question?

18 SPEAKER: Mr. Hancock, do you yield?

19 REPRESENTATIVE HANCOCK: Yes.

20 SPEAKER: The gentleman yields.

21 REPRESENTATIVE STRAMA: Thank you,
22 Representative Hancock.

23 Frankly, I think this is the amendment that
24 highlights the crux of the issue here. And there are
25 two ways to look at it. We can look at it as this

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1 weakens the bill but highlights the underlying
2 vulnerability of the bill at its essence or this bill
3 puts the election day voting process on a par with
4 absentee voting, which you guys don't eliminate under
5 this bill.

6 Here's my question: Why shouldn't people
7 who show up at the polling place on election day with
8 the intention of voting in person be allowed to
9 authenticate their ballot through the provisional voting
10 process in the same way this bill allows people who vote
11 by mail to authenticate their identity through the mail
12 in voting process?

13 REPRESENTATIVE HANCOCK: I think if you're
14 looking to improve or maybe strengthen the absentee
15 ballot process, I'd be glad to look at that bill.

16 REPRESENTATIVE STRAMA: That's not the
17 question I asked.

18 REPRESENTATIVE HANCOCK: That's not what
19 we're doing here in this bill. And
20 Representative Harless has actually done a pretty good
21 job of providing guidelines regarding provisional
22 ballots. And so, in the move to table, what I'm saying
23 is I appreciate the good work she's done, the committee
24 has done in this looking at this bill and think that the
25 provisions that are in there for provisional ballots are

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1 sufficient at this time.

2 REPRESENTATIVE STRAMA: Let me ask you this:
3 Are you -- are you concerned -- well, let me ask you a
4 different way.

5 Do you believe people should have the right
6 to vote by mail? Under current law, you have an
7 unlimited right to vote by mail if you're 65 or if
8 you're sick or if you're disabled or if you're going to
9 be traveling. Do you think that that's a fair thing to
10 allow people to do?

11 REPRESENTATIVE HANCOCK: Well, we're
12 actually not talking about voting by mail. We're
13 talking about voter ID and --

14 REPRESENTATIVE STRAMA: Okay. I'm capable
15 of understanding the relationship between my question
16 about the validity of voting by mail and the
17 implications that have for the merits of this bill. So,
18 could you answer the question that I asked about whether
19 you think it is right that people be allowed to vote by
20 mail?

21 REPRESENTATIVE HANCOCK: But I think the
22 question and the communication between the front mic and
23 the back mic is actually supposed to be about the
24 amendment that's on the floor and the amendment says --

25 REPRESENTATIVE STRAMA: Do you want me to

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1 draw the line between the validity of the absentee
2 balloting process to the validity of an amendment that
3 allows people to vote a provisional ballot with the same
4 signature verification process that we allow for people
5 who vote by mail? Do you want me to draw that line for
6 you more clearly or do you want to answer my question?

7 REPRESENTATIVE HANCOCK: Well, what I was
8 saying is if you would like to distinguish the
9 difference between a provisional ballot, which
10 Representative Harless has clearly addressed in the bill
11 in many provisions, and the weakening of that by
12 applying a mail in ballot, then we can discuss the
13 distinction but I'd rather stick on the bill and the
14 amendment and how it applies to the bill.

15 REPRESENTATIVE STRAMA: What this amendment
16 does is it would subject that provisional ballot to the
17 same verification process as a mail in ballot, which I
18 believe makes my question germane to this amendment. Do
19 you believe mail in ballots should be allowed under the
20 current law?

21 REPRESENTATIVE HANCOCK: I believe that the
22 difference in the mail in ballot provisions that we have
23 and the provisions that Ms. Harless has addressed for
24 provisional ballots are significantly different and
25 would actually weaken the bill.

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1 REPRESENTATIVE STRAMA: You are correct that
2 they are significantly different. The question is why?

3 REPRESENTATIVE HANCOCK: Well, I believe
4 that Ms. Harless has addressed the provisional ballots
5 in an ample way that allows everyone to vote, and I do
6 believe that there are differences that would actually
7 weaken the bill if we pass this amendment.

8 REPRESENTATIVE STRAMA: Do you think people
9 should be allowed to vote by mail?

10 REPRESENTATIVE HANCOCK: I believe that Ms.
11 Harless has given everybody that comes to a voting place
12 the opportunity to vote and she does that very
13 adequately in a provisional --

14 REPRESENTATIVE STRAMA: Do you believe --

15 REPRESENTATIVE HANCOCK: And I believe if we
16 accept the amendment that it actually weakens the bill.

17 REPRESENTATIVE STRAMA: Let me ask my
18 question a different way.

19 Do you think people should be allowed to
20 vote by mail without showing photo ID?

21 REPRESENTATIVE HANCOCK: I believe that the
22 bill is addressing photo ID, and I'd be glad to talk
23 about that. The provisional ballot allows them to vote
24 with a photo ID under the provisions that she's applied
25 in the bill.

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1 REPRESENTATIVE STRAMA: Let me ask the
2 question a different way.

3 Do you believe that under the provisions of
4 this bill a person is allowed to vote an absentee ballot
5 by mail without demonstrating photo identification?

6 REPRESENTATIVE HANCOCK: I don't believe
7 that this bill or the amendment addresses absentee
8 ballot mail in.

9 REPRESENTATIVE STRAMA: So, then --

10 REPRESENTATIVE HANCOCK: What you're
11 attempting to do is actually weaken the provisional
12 ballot process that Ms. Harless has addressed very
13 clearly in the bill.

14 REPRESENTATIVE STRAMA: Okay. Let's --
15 let's try to reason together, Representative Hancock.
16 Do you understand why I'm asking about mail in ballots
17 even though this amendment deals specifically with
18 provisional ballots, it is because there is a standard
19 for verifying the validity of a mail in ballot and this
20 amendment would adopt that standard for validating a
21 provisional ballot, so, I don't think you can argue that
22 I'm not being germane to the amendment. You might
23 choose not to answer the question for other reasons but
24 it's not because I'm not being relevant to the
25 amendment.

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1 So, my question is do you agree that under
2 the law as it will be if this bill passes, individuals
3 are allowed under the law to cast a mail in ballot
4 without demonstrating photo ID?

5 REPRESENTATIVE HANCOCK: I believe you've
6 properly addressed that there is a difference in a mail
7 in ballot and a provisional ballot and the intent to
8 apply a mail in ballot standard for provisional ballots
9 significantly weakens this bill.

10 REPRESENTATIVE STRAMA: So, then the mail in
11 ballot standard in current law is not a valid standard
12 for authenticating the identity of the voter, is that
13 your position?

14 REPRESENTATIVE HANCOCK: There's a
15 significant difference in what we call the mail in
16 ballot and the provisions that we have in a mail in
17 ballot and the provisions that Ms. Harless has required
18 in the bill that allow anyone to --

19 REPRESENTATIVE STRAMA: That's the point of
20 this amendment, there are significant differences. The
21 point of this amendment is there is no rational basis
22 for those differences. There's no rational basis.

23 So, my question is if you believe it is
24 not -- it is not sufficiently protective of the
25 integrity of the electoral process to allow a signature

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1 match to validate the identity of a provisional voter,
2 then why is it acceptable to you to allow a signature
3 match to validate the identity of a mail in voter?

4 REPRESENTATIVE HANCOCK: I think you have
5 properly addressed the fact that a mail in ballot may
6 cause some problems in the integrity of the voting.
7 Ms. Harless has done an excellent job regarding voter ID
8 in her desire to maintain voting integrity within the
9 provisions of a provisional ballot.

10 REPRESENTATIVE STRAMA: I think I'm out of
11 time.

12 SPEAKER: Representative Woolley raised a
13 point of order. The gentleman's time expired. Point of
14 order is well taken. Sustained.

15 Representative Hunter, Cook, Rodriguez,
16 Truitt, Branch, Lucio, (Inaudible) Patrick,
17 Representative Kolkhorst, Keffer and Bonham, (Inaudible)
18 Calendars Committee on the motion to Representative
19 Hancock, Representative Garren, Calenders Committee on
20 the motion (Inaudible). Is there objection?

21 Chair hears none. So ordered.

22 Chair recognizes Representative Anchia to
23 close.

24 REPRESENTATIVE ANCHIA: Thank you, Mr.
25 Speaker and Members. I just don't think Representative

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1 Hancock has a handle what this does. He says it weakens
2 the bill. It certainly does not do that. I think it
3 improves the bill by allowing a person who comes with a
4 voter registration certificate to be able to execute the
5 same type of affidavit that's found throughout this
6 bill, Members.

7 And then it subjects -- then they go to
8 professional ballot but the difference between the
9 approach that is contained in this bill and the approach
10 that's contained in the amendment is that that
11 provisional ballot may be counted if the signatures
12 match, and it obviates the need for person to come back
13 6 days later.

14 It makes the most sense in the world. It's
15 how we treat mail in ballots today. And mail in
16 ballots, as you all know, are exempted from this bill.
17 They are specifically ignored by this bill.

18 So, if it's good enough for mail in ballots,
19 it certainly should make some sense for how we count
20 these provisional ballots through the --

21 REPRESENTATIVE STRAMA: Does the gentleman
22 yield?

23 REPRESENTATIVE ANCHIA: Yes, I yield.

24 SPEAKER: Mr. Strama, for what purpose?

25 REPRESENTATIVE STRAMA: To ask a couple of

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1 questions. We agree on this bill, Representative
2 Anchia. We're co-authors.

3 REPRESENTATIVE ANCHIA: I'm only going to
4 yield for one. No, I'm kidding.

5 REPRESENTATIVE STRAMA: I just want to get
6 in the record some facts, if you don't mind.

7 REPRESENTATIVE ANCHIA: Please.

8 REPRESENTATIVE STRAMA: Is it the case under
9 current law that one does not have to show photo ID to
10 vote by mail?

11 REPRESENTATIVE ANCHIA: That is correct.

12 REPRESENTATIVE STRAMA: Is that continued --
13 will that continue to be the case if the bill passes as
14 current in its current form?

15 REPRESENTATIVE ANCHIA: Yes, it will.

16 REPRESENTATIVE STRAMA: Isn't it the logical
17 conclusion of Representative Hancock's argument just now
18 that that is an unsatisfactory outcome if your amendment
19 is not acceptable, if it does not set a high enough
20 standard for validating the identity of the voter, then
21 how can they tolerate -- given all we've heard about the
22 integrity of the election being sacrificed, how can they
23 tolerate allowing people to vote by mail without
24 demonstrating photo ID?

25 REPRESENTATIVE ANCHIA: I believe -- I

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1 believe that was his conclusion. I also see the patent
2 inconsistency in that conclusion, which leads me to
3 further believe that this bill is not about the
4 integrity of elections because if it were --

5 REPRESENTATIVE STRAMA: I'm saddened to say
6 I'm reaching the same conclusion.

7 REPRESENTATIVE ANCHIA: I fear -- at the
8 outset of this debate, I feared that that might be one
9 of the outcomes, and I think the -- and I think not
10 taking this amendment causes me to have even deeper
11 concerns about the motivations behind this bill.

12 It's really silly that we're going to be
13 treating mail in ballots where 70 percent of the fraud
14 occurs according to the AG's convictions, with a
15 signature match, whereas, the provisional ballots
16 hereunder we would not even treat with a signature match
17 and allow to become a regular ballot if those signatures
18 were substantially similar. I -- I don't understand the
19 logic and it is -- it is allowing me to come to the
20 conclusion that this must not be about ballot integrity.

21 Thank you, Members. I -- I ask that you
22 vote against the motion to table.

23 SPEAKER: Representative Anchia sends up an
24 amendment. Representative Hancock moves to table. This
25 is on the motion to table. Vote aye, vote nay. Show

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1 Ms. Harper Brown voting aye.

2 Have all voted? Show (Inaudible) voting no.

3 Show Mr. Bonnen voting aye. Show Ms. Truitt voting aye.

4 Have all voted? Being 94 ayes and 47 nays,
5 motion to table prevails.

6 Following the amendment, the clerk will read
7 the amendment.

8 CLERK: Amendment by Menendez.

9 SPEAKER: The Chair recognizes Mr. Menendez.

10 REPRESENTATIVE MENENDEZ: Thank you,
11 Mr. Speaker, Members. I'd like to get your attention
12 real briefly because this is amendment is an amendment
13 that 88 of us have said we support. 88 of us have
14 joined my good friend, Representative Burt Solomons, in
15 saying we no longer want to send unfunded mandates to
16 our cities and our counties.

17 So, if we don't want to send any unfunded
18 mandates, then we need to follow this. This amendment
19 simply says that if any of your counties deem the
20 implementation of this bill to be a financial burden,
21 they don't have to implement it at this time. They get
22 to choose when they get to implement it.

23 The reason that I bring this amendment
24 before you, Members, is I know that most of you and some
25 of you in rural counties, your county will be able to

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1 implement this without a problem but some of us in the
2 larger urban counties -- I have here an article from a
3 newspaper where our elections administrator said of
4 course, it's going to cost more money. If we get
5 10,000 -- 10 or 10,000 provisional votes, those people
6 will all have the opportunity to bring a photo ID to our
7 office down the street.

8 It also said the election office might need
9 to be open on weekends to serve those who could not come
10 by on the weekdays.

11 Members and state affairs, we heard from the
12 county judges and Commissions Associations of Texas, we
13 heard from the urban county, the Judges -- County Judges
14 Commission Association of Texas, (Inaudible) County
15 Judge, Urban County, Hobson County, Texas Association of
16 County Justice Police Officers, Texas Municipal League,
17 Houston County judge and (Inaudible) saying -- saying
18 please don't send any more unfunded mandates.

19 The question that I had in discussing this
20 amendment with my good friend Bill Callegari, a joint
21 author --

22 SPEAKER: Mr. Gallego, for what purpose?

23 REPRESENTATIVE GALLEGGO: Mr. Speaker, would
24 the gentleman yield?

25 REPRESENTATIVE MENENDEZ: Just one second

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1 and I'll be happy to yield.

2 SPEAKER: Not at this time.

3 REPRESENTATIVE MENENDEZ: As I discussed
4 this with Bill Callegari, I said, "Bill, the question is
5 do we or do we not trust our county judges and
6 commissioners court?"

7 And he said, "I trust mine."

8 I trust mine, too. The question is do you
9 trust yours and do we believe in not sending unfunded
10 mandates as a matter of principle or only when it's
11 convenient to us?

12 So, it's either a principle that we will no
13 longer send unfunded mandates -- if you sign on as a
14 joint author and co-author, and 88 of us have, then you
15 should support this amendment.

16 I will yield at this time.

17 REPRESENTATIVE GALLEGOS: Mr. Speaker?

18 SPEAKER: Mr. Gallego, for what purpose?

19 REPRESENTATIVE GALLEGOS: Will the gentleman
20 yield for a question?

21 REPRESENTATIVE MENENDEZ: I'd be happy to
22 yield.

23 REPRESENTATIVE GALLEGOS: Mr. Menendez, in
24 fact, the issue of local mandates -- unfunded mandates
25 has been a fairly large -- a fairly big theme this

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1 session, has it not?

2 REPRESENTATIVE MENENDEZ: Yes, it has.

3 REPRESENTATIVE GALLEGOS: And the proposed
4 constitutional amendment that you were talking about is
5 HJR 56 that's authored by Mr. Solomons, Mr. Callegari,
6 Ms. King and Ms. Kolkhorst?

7 REPRESENTATIVE MENENDEZ: That's correct. I
8 am also a co-author of that because I believe in it.

9 REPRESENTATIVE GALLEGOS: Were you aware that
10 88 members of the legislature -- 88 members of the
11 House, 88 out of the 150 have signed on in support of
12 this resolution, which would essentially restrict these
13 unfunded mandates to the local governments -- to units
14 of local governments, like counties, for example?

15 REPRESENTATIVE MENENDEZ: Absolutely, I am
16 aware of it. I have a list here of all 88 of them, and
17 it's a bipartisan group.

18 REPRESENTATIVE GALLEGOS: So, as an example,
19 as you go through, Mr. Alised has signed onto the
20 amendment to essentially prohibit unfunded mandates; is
21 that correct?

22 REPRESENTATIVE MENENDEZ: That's correct.
23 Yes.

24 REPRESENTATIVE GALLEGOS: And I believe his
25 county judge testified in the state affairs hearing that

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1 you referred to?

2 REPRESENTATIVE MENENDEZ: Yes. Judge
3 (Inaudible) and other judges from Houston County, yes.

4 REPRESENTATIVE GALLEGOS: Mr. Anchia has
5 signed on to support the resolution prohibiting unfunded
6 mandates?

7 REPRESENTATIVE MENENDEZ: Correct.

8 REPRESENTATIVE GALLEGOS: As has Dr.
9 Anderson, Doc Anderson, Rodney Anderson, Ms. Beck,
10 Burman, Bohac, Bonnen, Brown, Burkett, Button, Cain,
11 Carter, Chisum, Christian, Cook, Creighton, Crownover,
12 John Davis, Driver, Elkins, Flynn, Frullo, Gallegos,
13 Garza, Geren, Hamilton, Hancock -- 88 members.

14 REPRESENTATIVE MENENDEZ: Yes, sir.

15 REPRESENTATIVE GALLEGOS: So, if these 88
16 members have signed on to support this restriction on
17 unfunded mandates, is not your amendment a restriction
18 on unfunded mandates also?

19 REPRESENTATIVE MENENDEZ: Absolutely, but my
20 amendment is even easier. It really just says that your
21 county commissioners court has the decision at which
22 point to implement this would no longer be a financial
23 burden on the county.

24 In essence, we're saying to our local
25 taxpayers we respect your pocketbook. In my opinion,

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1 this is going to cost some counties -- they are going to
2 need to hire more people. It's going to cost the
3 taxpayers more money to implement this bill, and if
4 we're honest about no unfunded mandates, not shoving
5 more costs down to the local taxpayers, then please
6 support this amendment. It's a simple common sense
7 amendment.

8 REPRESENTATIVE GALLEGOS: The first principle
9 that we talked about is no unfunded mandates; is that
10 correct?

11 REPRESENTATIVE MENENDEZ: That's correct.

12 REPRESENTATIVE GALLEGOS: The second
13 principle that you just annunciated is the principle of
14 local control. Explain to me how your amendment
15 essentially supports local government.

16 REPRESENTATIVE MENENDEZ: What it does is
17 specifically says that a commissioners court of the
18 county that finds that the implementation of the photo
19 ID requirement would be a financial burden on that
20 county, they would have the right not to have this
21 section apply to them. So, the counties can allow when
22 they implement it.

23 Now, here's the other thing, it's not in
24 perpetuity. The county can decide we're not ready at
25 the next election but they might be ready at the next

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1 election after that. So, they might take an election
2 off and then they say, "You know what, we've geared, we
3 have the staffing, this will no longer be a financial
4 burden on us."

5 REPRESENTATIVE GALLEGOS: That's where the
6 local control comes?

7 REPRESENTATIVE MENENDEZ: Exactly.

8 REPRESENTATIVE GALLEGOS: And so, they can
9 opt out for this next election cycle until they have the
10 opportunity to review the costs and make arrangements,
11 budget those costs, factor those costs into the equation
12 before making a decision?

13 REPRESENTATIVE MENENDEZ: Correct. I mean,
14 you know, Representative Gallego, we're not putting any
15 money in this for the elections administration. We're
16 not putting any money for the counties to handle the 6
17 day period where people have to come back.

18 REPRESENTATIVE GALLEGOS: This is an unfunded
19 mandate?

20 REPRESENTATIVE MENENDEZ: In essence, it is
21 an unfunded mandate.

22 REPRESENTATIVE GALLEGOS: 88 of us have
23 signed on against unfunded mandates.

24 REPRESENTATIVE MENENDEZ: There's correct.

25 SPEAKER: Representative Sheffield raises a

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1 point of order. The gentleman's time has expired. The
2 point of order is well taken. It's sustained.

3 The Chair recognizes Representative Phillips
4 to speak against.

5 REPRESENTATIVE PHILLIPS: Thank you Mr.
6 Speaker, Members. I speak against this amendment.
7 While we don't want unfunded mandates, I don't believe
8 there is an unfunded mandate here. And what we want is
9 confidence in elections, and what this would allow would
10 be a county by the county opt out. Just read it.

11 If this particular county here decides that
12 they don't want to do this provision or this county
13 there decides they want to do that, then we don't have
14 uniform laws on election. That's why we have uniform
15 laws on election.

16 You know, it's interesting, the letter from
17 the co-chairs of the commission on federal election
18 reform, Jimmy Carter and James Baker said elections are
19 the heart of Democracy, they're instruments for the
20 people to choose leaders and hold them accountable. At
21 the same time, elections are core public function, which
22 all other government responsibility depends. If
23 elections are defective, the entire Democratic system is
24 at risk.

25 We do not want to put that at risk.

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1 REPRESENTATIVE HANCOCK: Mr. Speaker?

2 REPRESENTATIVE PHILLIPS: And I would move
3 to table.

4 SPEAKER: Representative Hancock, for what
5 purpose?

6 REPRESENTATIVE HANCOCK: Question.

7 REPRESENTATIVE PHILLIPS: I would.

8 REPRESENTATIVE HANCOCK: Mr. Phillips, are
9 you aware that --

10 SPEAKER: The gentleman yields.

11 REPRESENTATIVE HANCOCK: -- (Inaudible)
12 committee Secretary of State's office?

13 REPRESENTATIVE PHILLIPS: While I was not
14 there, I have been told that the Secretary of State said
15 there would be no additional cost to the county,
16 something to that effect.

17 REPRESENTATIVE HANCOCK: That is correct.
18 Thank you very much.

19 REPRESENTATIVE PHILLIPS: I would move to
20 table again.

21 REPRESENTATIVE MENENDEZ: Mr. Speaker?
22 Mr. Speaker?

23 SPEAKER: Representative Menendez, for what
24 purpose?

25 REPRESENTATIVE MENENDEZ: I was wondering if

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1 the gentleman would yield for a question?

2 REPRESENTATIVE PHILLIPS: Yeah, quickly.

3 It's a busy night.

4 REPRESENTATIVE MENENDEZ: Larry, I respect
5 you tremendously. You and I are both co-authors of the
6 no unfunded mandate constitutional amendment but you
7 said that you didn't think it was an unfunded mandate.

8 The reason I brought this forward is there's
9 an article in today's newspaper in my home town where
10 the elections administrator said of course, it's going
11 to cost more and the reason being, you're aware of the
12 provision in the bill that state that they have 6 days
13 to prove whether or not they have a photo ID or whether
14 or not they have a religious objection to having their
15 picture taken. Are you aware of that, the bill?

16 REPRESENTATIVE PHILLIPS: You're going to
17 have to repeat that. If it's an amendment, then I don't
18 know that that is -- that amendment -- that that is
19 still there.

20 REPRESENTATIVE MENENDEZ: The bill -- I'll
21 ask you a hypothetical.

22 REPRESENTATIVE PHILLIPS: That may have come
23 out of the bill. So, I don't want to say it's still
24 there. We've had so many amendments that we've gone
25 through here.

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1 REPRESENTATIVE MENENDEZ: Well, I'm pretty
2 sure it is because the amendment prior to this amendment
3 was the amendment that would allow for the verification
4 of signatures for provisional ballots and that was
5 turned away.

6 REPRESENTATIVE PHILLIPS: I think Harper
7 Brown -- anyway, I believe it did but go ahead.

8 REPRESENTATIVE MENENDEZ: All right. I'll
9 get clarification but the reason -- the reason my
10 county -- are you aware that the reason my county
11 believes this is an unfunded mandate is they are going
12 to have to keep their office open possibly on the
13 weekend to allow for the people that do cast a
14 provisional ballot to come in and proof that they have
15 an ID or they have a religious objection.

16 REPRESENTATIVE PHILLIPS: You know, I think
17 that -- what's that? Yeah, I think it went -- I think
18 it went out but, nonetheless, what we're talking about
19 is confidence in elections, and that's why a majority of
20 it Texans support this. Whether they're Republican or
21 Democrat, whether they're minority or not, they support
22 this under the polls done here in the state, and it
23 continues because they want consistent -- consistency in
24 elections is what they want, and we don't need to allow
25 a patchwork across the state.

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1 And, again, the testimony said there would
2 be no further cost from the Secretary of State. Again,
3 that's my understanding. I wasn't there. And I
4 appreciate you wanting to guard against unfunded
5 mandates but I don't think this is the bill to do that,
6 and I would respectfully move to table.

7 REPRESENTATIVE MENENDEZ: Let me ask a
8 question. Do you trust your county commissioners court?

9 REPRESENTATIVE PHILLIPS: I trust my county
10 commissioners?

11 REPRESENTATIVE MENENDEZ: Yeah, do you trust
12 them?

13 REPRESENTATIVE PHILLIPS: I have a bunch of
14 great county commissioners.

15 REPRESENTATIVE MENENDEZ: Well, then you
16 shouldn't have a problem because we're letting them
17 decide if this is a burden.

18 REPRESENTATIVE PHILLIPS: No. But you're
19 going to allow a patch quilt is what you're going to
20 have because you're going to have this county decide it
21 and this county doesn't.

22 I move to table, respectfully.

23 SPEAKER: The Chair recognizes
24 Representative Menendez.

25 REPRESENTATIVE MENENDEZ: Thank you,

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1 Mr. Speaker, Members. You know, I understand what the
2 testimony was from the Secretary of State's office but,
3 Members, the implementation of elections happen at the
4 local level, at the county level, and if an elections
5 administrator for one of our urban counties says of
6 course it's going to cost more money, at a very minimum
7 this first time we have no idea how many provisional
8 ballots are going to be cast. I believe that each and
9 every one of you in this room, you know and you trust
10 your county commissioners and your judges.

11 It doesn't say that one commissioner, it
12 doesn't say one judge. It says the commissioners court.
13 A majority of the commissioners in your county would
14 vote to say that this bill would be a financial burden.

15 I mean, if you think it's okay to create a
16 financial burden on your county, then go ahead and vote
17 on the motion to table but if you believe that we should
18 not put more financial burdens on our local counties,
19 then please vote against the motion to table.

20 This is not an RD amendment. This is not
21 whether you're for voter ID or not. This is whether
22 you're for your commissioners court to understand the
23 financial situation of their budgets and how they're
24 going to handle their elections.

25 I do think -- I know that we're having the

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1 urban leagues -- urban counties look at this. I think
2 if you check in with your commissioners, they would ask
3 you for the support on stopping the sending of unfunded
4 mandates.

5 If they can do it, if they're ready for it,
6 they will vote to do it. So, you have to trust and you
7 have to believe in what you say. If you're one of the
8 88 members, I expect you to vote against the motion to
9 table. Thank you.

10 SPEAKER: Representative Menendez sends up
11 an amendment. Representative Phillips moves to table.
12 Question occurs on the motion to table. Vote aye, vote
13 no, Members. The clerk will ring the bell.

14 Show Mr. Phillips voting aye. Mr. Menendez
15 voting no.

16 Have all members voted? Show Ms. Truitt
17 voting aye. Have all members voted? Show Ms. Kolkhorst
18 voting aye. Being 98 ayes, 48 nos, motion to table
19 prevails.

20 I'm sorry.

21 Following the amendment, the clerk will read
22 the amendment.

23 CLERK: Amendment by Anchia.

24 SPEAKER: Is Mr. Anchia on the floor of the
25 House?

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1 The Chair recognizes the fast moving member
2 from Dallas, Representative Anchia.

3 REPRESENTATIVE ANCHIA: Thank you, Mr.
4 Speaker and Members. I'm trying to -- I'm just trying
5 to fix your bill.

6 Okay. Okay. Thank you, Mr. Speaker and
7 Members. This amendment clarifies that free IDs were
8 given to individuals who register to vote when they
9 apply for a duplicate ID. And hear me out because
10 currently in Section 20 of the bill, there's a mistake.
11 The bill only provides for free IDs for new or
12 renewals -- or renewal IDs, it's only for new or
13 renewals but does not provide for free IDs for
14 duplicates.

15 This bill doesn't touch the section --
16 Section 521 spot 424 of the Transportation Code that
17 deals with the IDs that people are given when they need
18 to do an address change or a name change. They're
19 called duplicate IDs. They are neither new IDs or
20 renewed IDs. They're called duplicate IDs.

21 And the author failed to include that in the
22 free IDs that we're going to need to give to people if
23 they're going to be using those IDs in order to vote.
24 So, this is not a new ID. This is not a renewal. It's
25 a duplicate. And those duplicates are given to people

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1 who need to change their address or their name.

2 Some of the most noble groups are minorities
3 or low income people. They move a lot. They get
4 renewal IDs if they don't drive because they're changing
5 their address. And if the intention of this bill is to
6 provide free IDs and not disenfranchise groups, this
7 amendment should be acceptable to the author.

8 SPEAKER: Mr. Phillips, do you want to speak
9 again?

10 REPRESENTATIVE PHILLIPS: Yeah. We would
11 move to table. He's talking about when you -- when you
12 lose an ID, you go get a new one, it allows for a new
13 one in there. And I would move to table.

14 SPEAKER: Mr. Anchia to close.

15 REPRESENTATIVE ANCHIA: The amendment is
16 temporarily withdrawn.

17 SPEAKER: Following the amendment, the clerk
18 will read the amendment.

19 CLERK: Amendment by Walle.

20 SPEAKER: The Chair recognizes Mr. Walle.

21 REPRESENTATIVE WALLE: Thank you, Members.
22 This amendment would allow county commissioners court to
23 authorize county election clerks to include a photo -- a
24 photo on a voter registration card or to create a voter
25 ID card. This amendment is about respecting local

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1 control. This is a common sense solution that places
2 control of the election process directly in the hands of
3 our counties.

4 We trust that the counties -- we trust the
5 counties to carry out the election process, so, we
6 should trust them to make the appropriate decision about
7 whether they would like to include a photo on a voter
8 registration certificate or create a new voter ID card
9 with a photo on it.

10 If this debate is really about voters
11 presenting a photo document along with their voter
12 registration card, then I think this amendment offers a
13 simple and straightforward solution.

14 I'm finished.

15 SPEAKER: Mr. Phillips will speak against
16 the amendment.

17 REPRESENTATIVE PHILLIPS: Thank you, Mr.
18 Speaker, Members. Again, what we want is uniformity.
19 This would allow that each county would provide their
20 own ID. It would shift responsibility to the county.
21 Again, we don't have uniformity, and I would
22 respectfully move to table.

23 SPEAKER: The Chair recognizes
24 Representative Walle to close.

25 REPRESENTATIVE WALLE: Thank you, Mr.

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1 Speaker. Again, this is about respecting local control
2 and just adding a simple photo on your voter
3 registration card would actually take care of a lot of
4 this stuff, and I move to accept this amendment.

5 SPEAKER: Representative Walle sends up the
6 amendment. Representative Phillips moves to table.
7 Questions on the motion to table, Members. The clerk
8 will ring the bell. Vote aye or vote nay. Show
9 Mr. Phillips voting aye. Mr. Walle voting nay.
10 Mr. Dutton voting no. Show Mr. Martinez voting nay.

11 Have all members voted? Have all members
12 voted? There being 95 ayes, 52 nays, motion to table
13 prevails.

14 Mr. Rodriguez or Mr. Veasey on the floor?

15 CLERK: Amendment by Rodriguez.

16 SPEAKER: The Chair recognizes
17 Mr. Rodriguez.

18 REPRESENTATIVE RODRIGUEZ: Thank you,
19 Mr. Speaker and Members. This amendment permits same
20 day registration at polling places. There's been a lot
21 of talk today about how this bill in a way completely
22 makes the need for voter registration redundant. I'm
23 not saying that we should get rid of our voter
24 registration process but it seems to me and it seems
25 from the discussion today that this bill is about photo

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1 identification.

2 My amendment would still require photo ID.
3 It would simply allow voters to register to vote on the
4 same day provided they can provide an acceptable form of
5 photo. An acceptable form of photo ID is exactly what's
6 in this bill now, driver's license, Texas ID, passport,
7 et cetera.

8 According to the George Mason University
9 U.S. elections project, Texas ranked 50th, worst in
10 voter turnout in the last election.

11 I believe my amendment would help to curtail
12 this voter turnout problem. Currently there are 12
13 states that have a form of election day registration,
14 including Idaho, Iowa, Maine, Minnesota, Wyoming, North
15 Dakota and others.

16 Allowing for election day registration has
17 drastically improved voter turnout in these states. As
18 an example, in Minnesota, 15.6 percent of voters have
19 increased since that -- since the same day registration.
20 In Wisconsin, about 10 percent.

21 Members, this is about voter participation.
22 This does not do away with the voter ID process. It's a
23 compliment to that. If you have the requisite photo ID
24 that's in this bill, then you can register right then
25 and there that day at the polling place.

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1 Move for adoption.

2 SPEAKER: Mr. Phillips will speak against
3 the motion.

4 REPRESENTATIVE PHILLIPS: Thank you,
5 Mr. Chairman -- I mean, Mr. Speaker, Members. I would
6 respectfully move to table this bill -- I mean, this
7 amendment. This bill is a voter ID bill. It's not
8 about a same day registration. That debate can be had
9 in elections committee and go through that process.
10 This bill is about voter ID.

11 You know, it's amazing, Georgia, which has
12 one of the toughest voter ID as they say or photo ID had
13 the largest voter turnout in the 2008 November election
14 in history after they had passed that.

15 In Indiana, the turnout for the Democratic
16 voters was the largest increase in Democratic turnout of
17 any state in the country.

18 Voter ID brings confidence. This bill is
19 about voter ID. It's not about same day registration.
20 This will drive more people to come to vote. I move to
21 table.

22 SPEAKER: Mr. Veasey, for what purpose?

23 REPRESENTATIVE VEASEY: Mr. Phillips, will
24 the chairman yield, please?

25 SPEAKER: Mr. Phillips, will you yield?

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1 REPRESENTATIVE PHILLIPS: Briefly. I'll
2 ask -- answer a few questions but we've got a lot of
3 amendments to go through.

4 REPRESENTATIVE VEASEY: I hope, due to the
5 importance of this bill, you would answer as many
6 questions as I would need you to but I only have a few.

7 REPRESENTATIVE PHILLIPS: If they're
8 specific to the bill, that would be great.

9 REPRESENTATIVE VEASEY: I only have a few.
10 Actually, mine are specific to the amendment. And I was
11 looking and I was trying to find out who does same day
12 registration, and I found out that Idaho, Minnesota, New
13 Hampshire, North Dakota, Wisconsin and Wyoming all offer
14 same day voter registration.

15 Now, why aren't the red states of Idaho and
16 North Dakota and Wyoming moving to get rid of their same
17 day registration?

18 REPRESENTATIVE PHILLIPS: Mr. Veasey, that
19 really isn't relevant to this bill.

20 REPRESENTATIVE VEASEY: No, it is but you're
21 saying --

22 REPRESENTATIVE PHILLIPS: This is a voter ID
23 bill, not a same day registration bill. This a voter ID
24 bill.

25 REPRESENTATIVE VEASEY: Right.

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1 REPRESENTATIVE PHILLIPS: Not a same day
2 registration bill.

3 REPRESENTATIVE VEASEY: But part of the
4 reason why these states made voter registration easy was
5 because they were trying to increase voter turnout. It
6 was part of the whole effort back in the mid '90s, the
7 whole motor voter deal to increase participation by our
8 electorate. So, with that in mind --

9 REPRESENTATIVE PHILLIPS: We had that spread
10 across the nation. So, again, this is a voter ID bill.
11 It's not about same day registration.

12 REPRESENTATIVE VEASEY: Representative
13 Harless has said repeatedly that this bill is about
14 increasing voter registration due to integrity at the
15 polls.

16 REPRESENTATIVE PHILLIPS: Not increasing --
17 it's about increasing voter confidence, which will turn
18 out more voters.

19 REPRESENTATIVE VEASEY: Right. And that's
20 what same day registration is about, turning out more
21 voters. You keep saying (Inaudible) is relevant and you
22 won't answer questions about same day voter
23 registration.

24 REPRESENTATIVE PHILLIPS: I told you that is
25 not relevant to this bill. This bill is a voter ID

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1 bill.

2 REPRESENTATIVE VEASEY: You've said that --

3 REPRESENTATIVE PHILLIPS: This is not voter
4 turnout, same day registration. This is a voter ID
5 bill. I would move to table.

6 REPRESENTATIVE VEASEY: The gentlelady has
7 already said that this bill is about increasing
8 confidence at the poll so more people will come out and
9 vote.

10 REPRESENTATIVE PHILLIPS: That is not --

11 REPRESENTATIVE VEASEY: And you won't answer
12 the question.

13 REPRESENTATIVE PHILLIPS: I've answered your
14 question, Mr. Veasey. I've answered it. That is not
15 relevant to this bill.

16 REPRESENTATIVE VEASEY: Why will you not
17 accept the amendment?

18 REPRESENTATIVE PHILLIPS: I told you this is
19 a voter ID bill. It's not a voter registration bill.
20 Put it through the committee process and get it debated
21 and go through the floor and if it gets here, we can
22 debate that. This is a voter ID bill. It's not about
23 trying to put everything --

24 REPRESENTATIVE VEASEY: This is not a voter
25 registration -- so, you don't intend to accept any

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1 amendments of voter registration related to this bill?

2 REPRESENTATIVE PHILLIPS: I intend to keep
3 the bill related to voter ID.

4 REPRESENTATIVE VEASEY: Thank you.

5 SPEAKER: Mr. Rodriguez to close.

6 REPRESENTATIVE RODRIGUEZ: Thank you. Thank
7 you, Mr. Speaker, Members. This is a voter ID bill or
8 whatever it's supposed to really be but for many of us
9 the concern is that it's not just about voter ID. It
10 has consequences, whether it's intended consequences or
11 unintended consequences, and there's many of us here in
12 this chamber that believe this will have a negative
13 consequence on voter turnout.

14 If the State of Texas is last in the country
15 when it comes to voter turnout, the last thing I think
16 you want to do is pass this bill and have a consequence
17 of actually reducing voter turnout.

18 It has been shown in various states, 12
19 states to be exact, as Mr. Veasey pointed out as well,
20 where the turnout dramatically increases where you have
21 same day voter registration.

22 I'm not saying that we don't have to have --
23 that one wouldn't have to have photo identification.
24 I'm not taking that away at all but if you have the
25 same -- the photo requirements that this bill calls for,

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1 this is, again, about voter ID, about picture ID, voter
2 ID, you can register to vote.

3 If you want to do something about voter
4 impersonation and all that kind of stuff, that's one
5 thing but we also, in doing that, don't want to reduce
6 the possibility of people being able to vote. It's that
7 simple.

8 I think this amendment will minimize any
9 kind of disenfranchisement, will minimize the ability
10 for people to not be able to vote. Members, I encourage
11 your support on this amendment.

12 SPEAKER: Representative Veasey, for what
13 purpose?

14 REPRESENTATIVE VEASEY: Will the gentleman
15 yield?

16 REPRESENTATIVE RODRIGUEZ: I will.

17 REPRESENTATIVE VEASEY: Mr. Rodriguez, the
18 gentlelady from Houston has said repeatedly that by
19 passing the voter ID bill that she's trying to pass now,
20 this voter suppression bill that's on the floor, that it
21 will actually increase voter turnout. Isn't that what
22 she has said in her words? Because it will increase
23 confidence, so --

24 REPRESENTATIVE RODRIGUEZ: That has been the
25 claim.

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1 REPRESENTATIVE VEASEY: So, why would
2 Representative Phillips, in your opinion, not want to
3 accept my -- not want to accept your amendment and not
4 answer any questions related to this particular
5 amendment that you have?

6 REPRESENTATIVE RODRIGUEZ: I can't speak for
7 Chairman Phillips. I can't really speak for him but I
8 think it's very clear that what this amendment would do
9 is, in fact, increase voter turnout and it would still
10 kind of stay true to the suggested intent anyway of
11 having photo identification to make sure the people who
12 are voting are actually who they say they are.

13 So, I'm not taking anything away from that.
14 What I'm doing in addition to that, I'm adding to that,
15 in fact, and making it so that we are actually going to
16 try to promote voting, I think.

17 REPRESENTATIVE VEASEY: Were you aware that
18 the states that have same day voter registration are
19 Idaho, Minnesota, New Hampshire, North Dakota, Wisconsin
20 and Wyoming?

21 REPRESENTATIVE RODRIGUEZ: Yeah, I am aware
22 of that.

23 REPRESENTATIVE VEASEY: Are you aware that
24 with the exception of Minnesota in the twin cities area
25 and Wisconsin in the Milwaukee area that those other

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1 states have very low diversity in their state? Were you
2 familiar -- did you know that?

3 REPRESENTATIVE RODRIGUEZ: I did not know
4 that.

5 REPRESENTATIVE VEASEY: That Idaho doesn't
6 have a lot of diversity in their state?

7 REPRESENTATIVE RODRIGUEZ: I didn't know
8 that.

9 REPRESENTATIVE VEASEY: North Dakota doesn't
10 have a lot of diversity in their state and neither does
11 Wyoming?

12 REPRESENTATIVE RODRIGUEZ: No, I didn't know
13 that.

14 REPRESENTATIVE VEASEY: Did you know that
15 those are all red states?

16 REPRESENTATIVE RODRIGUEZ: I'm not surprised
17 by that.

18 REPRESENTATIVE VEASEY: That Idaho and North
19 Dakota and Wyoming are all red states with very little
20 diversity, were you aware of that?

21 REPRESENTATIVE RODRIGUEZ: I'm becoming more
22 aware of that, yes.

23 REPRESENTATIVE VEASEY: So, is it -- and
24 when I say red states, because, you know, we probably
25 shouldn't speak in slang on the House floor, so, let me

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1 rephrase that and say Republican states.

2 REPRESENTATIVE RODRIGUEZ: Sure.

3 REPRESENTATIVE VEASEY: Those are states
4 that tend to overwhelmingly vote Republican -- for
5 Republican, and the state legislatures there are not
6 pushing for a voter ID bill. Why would the state
7 legislatures in Idaho and North Dakota and Wyoming, the
8 very homogenous states with not a lot of diversity, why
9 would they not be pushing for a voter ID bill?

10 REPRESENTATIVE RODRIGUEZ: I can only guess,
11 and I'm going to have to guess that they don't see it as
12 a problem there.

13 REPRESENTATIVE VEASEY: Right.

14 REPRESENTATIVE RODRIGUEZ: Just as, in fact,
15 it's not a problem here.

16 REPRESENTATIVE VEASEY: Do you think that
17 perhaps they don't see it as a problem because they
18 don't have diversity because the one issue that we heard
19 when this bill was being laid out was that there are
20 people in these areas and those people in these
21 particular communities are committing voter fraud and
22 that they are cheating and all this voter impersonation
23 is going on but they don't seem to be worried about it
24 in these states, maybe it's because we're trying to pass
25 that bill here because the people are -- seem to have

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1 these stereotypes about certain people voting in the
2 State of Texas but in Idaho, they would just prefer to
3 let people vote as freely as possible, including the
4 Republicans there because the state is just a little bit
5 more homogenous than the State of Texas?

6 REPRESENTATIVE RODRIGUEZ: Representative
7 Veasey, I think it's evidence that there is much greater
8 diversity in the State of Texas, obviously, than you
9 have in these other places and --

10 SPEAKER: Representative Sheffield raises a
11 point of order. The gentleman's time has expired. The
12 point of order is well taken and sustained.

13 REPRESENTATIVE RAYMOND: Mr. Speaker, I move
14 adoption.

15 SPEAKER: Representative Rodriguez sends up
16 an amendment. Mr. Phillips moves to table. Questions
17 on the motion to table, Members. Vote aye, vote no.
18 The clerk will ring the bell. Show Mr. Phillips voting
19 aye. Mr. Rodriguez voting no. Ms. Truitt voting aye.
20 Ms. Truitt voting aye.

21 Have all members voted? All members voted?
22 There being 96 ayes, 50 nays, the amendment -- motion to
23 table prevails.

24 Following the amendment, the clerk will read
25 the amendment.

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1 CLERK: Amendment by Gallego.

2 SPEAKER: The Chair recognizes
3 Representative Gallego.

4 REPRESENTATIVE GALLEGOS: Thank you, Mr.
5 Speaker and Members. This problem is unique to some of
6 the members of the House who represent more rural areas.
7 As we talk about voter ID and we talk about the
8 opportunity to just go down to the driver's license
9 office and get a driver's license, what we haven't taken
10 into consideration in this debate is that there are
11 entire counties out there that don't have a DPS driver's
12 license office.

13 In fact, in the district that I represent,
14 there are four counties that don't have a driver's
15 license office located in them. Many counties have only
16 partial service from a DPS office.

17 The counties that I represent, for example,
18 many of them will have a driver's license office that is
19 open one day a week, and if the employee -- because
20 there's only one employee signed to these offices -- if
21 the employee is sick, then there is no office that week
22 and there is no opportunity to get a driver's license or
23 renew your driver's license or get an ID that week.

24 Many counties have partial service. In
25 these rural counties, for example, if you live in Van

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1 Horn, Texas which is the county seat of Culberson
2 County, and you need to get an ID because you don't have
3 one, that driver's license office is located in Alpine,
4 Texas, the county seat of Brewster County. A one-way
5 trip -- a one-way trip to go get an ID is a hundred
6 miles.

7 From Sierra Blanca to El Paso is 88 miles
8 one way. Rock Springs to Del Rio is 76 miles one way.
9 Sanderson to Fort Stockton is 65 miles one way. And
10 that's from county seat to neighboring county seat. We
11 haven't even talked about what happens if you live in
12 one of the outlying communities in the county like
13 "Delingua" or "La Quintas" or Redford or Pine Springs or
14 Del City in Culberson County.

15 In the district that I represent, there are
16 28,841 people, according to the census, who live in
17 counties with only partial DPS driver's license
18 services, and there are about 7,000 people who live in
19 counties that don't get any driver's license service at
20 all.

21 Ms. Harless will tell you that there are
22 plans to open and expand DPS services in all of these
23 counties but you and I all know that with the sake of
24 our budget, we're not going to be expanding state
25 services any time in the future, which means that for

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1 the foreseeable future, these folks won't have a
2 driver's license office.

3 So, what happens if you're elderly? What
4 happens if you don't have a good car so you can't make
5 the 120-mile round trip from Presidio to Martha?

6 Understand that for folks who live in these
7 communities, travel can be a hardship. The nearest
8 Wal-Mart from Presidio is mas o menos about 150 miles
9 away.

10 The nearest airport from Alpine is about 2
11 and a half to 3 hours away. That's the kind of
12 isolation that you see.

13 So that you understand, in the district that
14 I represent, that district is nearly 500 miles from one
15 side of the district to the other. And what we are
16 asking, this driving these long distances, that creates
17 some significant hardships for folks. And that hardship
18 makes people want to give up and, unfortunately, if they
19 give up, they give up something that's pretty
20 fundamental, and that's the right to vote.

21 So, what this amendment would do is very
22 simple. The amendment would say that this act doesn't
23 apply to those counties in which DPS doesn't have a full
24 service driver's license.

25 And the truth is this applies to very few

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1 counties out there and it applies to very few people out
2 there.

3 And the reason -- frankly, we've talked
4 about the fact that DPS doesn't serve them in the
5 hardship but we haven't talked about two other common
6 sense things.

7 If this is about fraud, as an example, then
8 I will tell you that in those communities -- in Loving
9 County, for example, we all know each other. In
10 Presidio, we all know each other. Most of Highway 90,
11 as Chairman Hilderbran indicates, in those communities,
12 families have been there for generations. And at this
13 point, many of us are related, and we all know each
14 other.

15 And to have this requirement that if you
16 lose your license, if you don't have a photo ID, if you
17 have to renew your photo ID and you miss the day and you
18 have to drive and drive and drive, that doesn't make
19 very practical sense.

20 So, because this right is so fundamental,
21 because this is an extreme hardship on a limited number
22 of people and because the amendment only impacts a
23 limited number of people and, frankly, because in those
24 counties that are impacted, the people are so few and so
25 familiar with each other that there isn't really any

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1 allegations of the kind that we're talking about with
2 respect to voter fraud, I would ask that you adopt this
3 amendment that applies only to these counties that don't
4 have a full service driver's license office.

5 SPEAKER: Mr. Hochberg, for what purpose?

6 REPRESENTATIVE HOCHBERG: Will the gentleman
7 yield, please?

8 SPEAKER: Will the gentleman yield?

9 REPRESENTATIVE GALLEGOS: Absolutely, Mr.
10 Hochberg.

11 REPRESENTATIVE HOCHBERG: Thank you, Mr.
12 Speaker. Thank you, Mr. Gallego.

13 I've visited your district and you've
14 visited mine, and what a lot of folks --

15 REPRESENTATIVE GALLEGOS: I was always
16 amazed, Mr. Hochberg, that you have apartment complexes
17 that are bigger than entire cities that I represent.

18 REPRESENTATIVE HOCHBERG: That's true. And
19 I think what people don't know is that you have the most
20 sparsely populated district, and I have the least -- or
21 you have the least -- you have the most sparsely and I
22 have the most intensely --

23 REPRESENTATIVE GALLEGOS: You know,
24 Mr. Hochberg, believe it or not, the district that I
25 represent is about 15 percent of the land area of Texas

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1 and, as a result of the census data and redistricting,
2 that district will grow to probably about 20 percent of
3 Texas. So, it's huge. It is, as you indicated, very
4 sparsely populated, and it is a hardship because these
5 distances are very, very, very, very long.

6 REPRESENTATIVE HOCHBERG: And so, are you
7 telling me --

8 REPRESENTATIVE GALLEGOS: Mr. Hochberg,
9 Chairman (Inaudible) wants me to tell you that he
10 doesn't think you have any Dairy Queens in your district
11 either.

12 REPRESENTATIVE HOCHBERG: No, I don't have
13 any current Dairy Queens. We do have -- I've got a
14 Sonic, though. I do have a Sonic. So, that's close.
15 And we have no -- actually, Mr. Keffler, we have -- we
16 don't have a Dairy Queen but we do have a Shawarma King
17 in my district. So, you can come to Shawarma King any
18 time you'd like.

19 But, Mr. Gallego, it sounds to me that
20 you're telling me that without your amendment that folks
21 in your district are going to be less likely to vote
22 than they might be in my district; is that true?

23 REPRESENTATIVE GALLEGOS: That's absolutely
24 true. You know, the truth -- in terms of the
25 demographics of the district that I represent --

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1 SPEAKER: Representative Sheffield raises a
2 point of order. The gentleman's time expired. The
3 point of order is well taken. It's sustained.

4 The Chair recognizes Representative Harless
5 in opposition.

6 REPRESENTATIVE HARLESS: Mr. Speaker,
7 Members, as much as I would love to take an amendment
8 from my fellow colleague in -- that I really love and
9 respect, this would create an inconsistent application
10 across the counties.

11 We have extensive testimony in both the
12 Senate and the House that talks about the -- the very,
13 very, very small population that this might affect, and
14 they don't have those exact numbers but it would be
15 inconsistent across the county.

16 Also, the elderly, as he stated, would have
17 the opportunity to also continue to file a ballot by
18 mail. So, I would ask that you respectfully table this
19 amendment.

20 SPEAKER: The Chair recognizes
21 Representative Gallego to close.

22 REPRESENTATIVE GALLEGRO: Thank you,
23 Mr. Speaker, Members. If you look at the demographics
24 of these counties, young folks are moving away and the
25 population of many of these rural counties is getting

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1 older and older and older.

2 And so, it isn't as easy as just renewing a
3 driver's license over the Internet. It isn't as easy as
4 just driving down to the local DPS office.

5 Again, for folks who are retired, for folks
6 who don't have a good car, for folks who are elderly,
7 this is a huge issue.

8 In communities like Redford, in communities
9 like Presidio, in communities like Pine Springs or even
10 Sanderson -- and that's exactly right, Chairman
11 Hilderbran, there's not that many people out there but
12 this impacts them.

13 And so, this amendment, again, impacts a
14 very limited universe of people, and because it impacts
15 such a limited universe and because voting is such a
16 fundamental right and because, as I've indicated, we all
17 know each other, we all know who we are when we show
18 up -- Loving County, for example, has only a little over
19 80 residents in the entire county. They all know each
20 other.

21 Other counties and other communities have
22 that in common with Loving. They're bigger but families
23 have been there for generations. They have very deep
24 roots. In many cases, they have intermarried, and so,
25 there are longstanding relationships.

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1 And so, the challenges that happen in a
2 Houston or a San Antonio or a Dallas or an Austin, they
3 don't happen in, for example, a Valentine, Texas with a
4 population of about 200. They don't happen in a Del
5 City, Texas with a population of several hundred. They
6 don't happen in a Sanderson or a "Delingua" or a "La
7 Quintas" or a Redford or a Presidio.

8 I would ask members for some consideration
9 for those counties that don't have a DPS office and
10 they're not going to get a DPS office because we are not
11 expanding services.

12 I would ask for some consideration for those
13 elderly folks who don't have the opportunity to go down
14 the street because this is a significant right that
15 we're altering for them. It really is a huge, huge,
16 huge, huge issue of access.

17 So, Ms. Harless has moved to table the
18 amendment. I ask you to vote no on the motion to table.

19 And, Mr. Hochberg, I am happy to yield.

20 SPEAKER: Mr. Hochberg, for what purpose?

21 REPRESENTATIVE HOCHBERG: Will the gentleman
22 yield, please?

23 SPEAKER: Will the gentleman yield?

24 He did. The gentleman yields.

25 REPRESENTATIVE HOCHBERG: Thank you.

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1 Mr. Gallego, I started to ask you before
2 when we ran out of time if, in your opinion, this means
3 that folks in your rural community are going to be less
4 likely to vote than folks in my urban community, and I
5 think you started to answer yes.

6 REPRESENTATIVE GALLEGGO: Absolutely. I
7 think that is true. I think it's much more difficult to
8 get a photo ID the way that this bill is drafted, and
9 so, what happens is people will end up staying home.

10 And I think a vote of someone who lives in a
11 rural area should be just as fundamental and just as
12 important as someone who lives in an urban area.

13 And so, that's why I ask for some
14 consideration for these folks who are elderly, despite
15 the demographics, as the rural areas get older and
16 those -- there are not that many of us who are rural
17 left but we know that our population is getting older,
18 and so, this seeks to have some reasonable accommodation
19 for those rural areas.

20 And I see Mr. Chisum behind you, and Mr.
21 Chisum can tell you that he represents some counties,
22 too, that don't have driver's license offices, and the
23 person from DPS visits maybe once a week, and if they're
24 sick, then nobody visits, and so, they will go an entire
25 month or so sometimes without having a visit from a --

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1 from a driver's license person.

2 REPRESENTATIVE HOCHBERG: I'm going to have
3 to think about whether or not to vote with you on this
4 one because I would certainly like to increase any
5 advantages that the urban areas have in terms of
6 producing voters for statewide elections.

7 So, if you say your amendment is necessary
8 to help maintain rural voter turnout, I'll have to think
9 about your amendment for a while.

10 REPRESENTATIVE GALLEGOS: Well, the truth is
11 that there's not enough people left in the rural area to
12 offset, which is why, for example, I have to represent
13 15 percent of the state by land and you have to
14 represent -- how many square miles of Houston?

15 REPRESENTATIVE HOCHBERG: I have -- I have
16 14 square miles. I have 10,000 people per square mile.

17 REPRESENTATIVE GALLEGOS: 14,000 square --
18 how many square miles again?

19 REPRESENTATIVE HOCHBERG: 14.

20 REPRESENTATIVE GALLEGOS: 14 square miles and
21 I --

22 REPRESENTATIVE HOCHBERG: 10,000 people her
23 square mile.

24 REPRESENTATIVE GALLEGOS: -- represent about
25 38,000 square miles. 14 square miles versus 38,000

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1 square miles. And that to me is the essence -- we
2 drafted a one size fits all approach in this bill in
3 this legislation, and one size doesn't fit all.

4 And so, that's the challenge and that's the
5 reasonable -- I think very reasonable accommodation that
6 I seek for those folks who live in rural areas that
7 don't have access to that driver's license office on a
8 regular basis.

9 REPRESENTATIVE HOCHBERG: Thank you. I do
10 think you have a good amendment.

11 REPRESENTATIVE GALLEGO: I appreciate that,
12 Mr. Hochberg.

13 And I would ask, Members, that you all --
14 that you vote no on the motion to table.

15 And I appreciate the opportunity -- thank
16 you, Ms. Harless, for the opportunity to have a
17 conversation about the amendment.

18 SPEAKER: Representative Gallego sends up an
19 amendment. Representative Harless moves to table. The
20 vote is on the motion to table. Vote aye, vote no.
21 Show Mr. Gallego voting no. Show Representative Harless
22 voting aye.

23 Have all voted? Have all voted? Being 100
24 ayes and 49 nays, the motion to table prevails.

25 Following the amendment, the clerk will read

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1 the amendment.

2 CLERK: Amendment by Anchia.

3 SPEAKER: The Chair recognizes
4 Representative Anchia.

5 REPRESENTATIVE ANCHIA: Thank you,
6 Mr. Speaker and Members. Representative Harless and I
7 had a chance to visit when I temporarily pulled this
8 down, and I believe there's going to be some back mic
9 questions. So, I yield.

10 SPEAKER: Representative Harless, for what
11 purpose?

12 REPRESENTATIVE HARLESS: Will the -- will
13 the member yield?

14 REPRESENTATIVE ANCHIA: I do.

15 REPRESENTATIVE HARLESS: Representative
16 Anchia, we discussed that this amendment is actually for
17 the ID card for voting, correct?

18 REPRESENTATIVE ANCHIA: That is correct.

19 REPRESENTATIVE HARLESS: And that ID is
20 issued by the DPS free of charge?

21 REPRESENTATIVE ANCHIA: That is correct.

22 REPRESENTATIVE HARLESS: And what your
23 amendment does -- says that if for whatever reason they
24 need to get a replacement or a duplicate ID because they
25 moved and changed their address or they lost it, it

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1 would continue to be free?

2 REPRESENTATIVE ANCHIA: That is -- that is
3 correct. That is absolutely correct. And the term of
4 art is a duplicate ID, and that picks up people, for
5 example, who move or who change their name, typically
6 because of marriage or divorce.

7 That category of state ID for purposes of
8 voting is called a duplicate. It's neither a new or
9 renewal.

10 REPRESENTATIVE HARLESS: So, we had a
11 conversation with DPS.

12 REPRESENTATIVE ANCHIA: Yes.

13 REPRESENTATIVE HARLESS: And they are going
14 to give us a formal ruling on this. So, I accept this
15 amendment and if we need to have more conversation about
16 it, we can.

17 REPRESENTATIVE ANCHIA: Thank you for taking
18 the amendment.

19 SPEAKER: Mr. Anchia sends up an amendment.
20 The amendment is acceptable to the author. Is there
21 objection?

22 The Chair hears none. The amendment is
23 adopted.

24 Following the amendment, the clerk will read
25 the amendment.

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1 CLERK: Amendment by Martinez.

2 SPEAKER: The Chair recognizes
3 Representative Martinez.

4 REPRESENTATIVE MARTINEZ: Thank you,
5 Mr. Speaker, Members. This amendment requires that
6 employees at the Department of Public Safety inform
7 anybody applying for a state identification card that
8 the state ID is free of charge if they intend to use it
9 for voting purposes.

10 So, pretty much all you're going to be doing
11 is when an individual goes in and they're going to apply
12 for a voter ID card or for an ID card or their driver's
13 license, people at DPS will be telling them that if it
14 is used for voting purposes, there is no charge for the
15 ID and it is free of charge.

16 So, DPS employees already ask the applicants
17 if they wish to register to vote and a link is provided
18 for those who renew on line.

19 So, this amendment would fit neatly into the
20 system already in place for educating citizens about
21 voting. And as a DPS employee is interacting with a
22 customer, they should make sure that the person has the
23 opportunity to receive a free ID if they need it to
24 satisfy the requirements of a photo ID voting law.

25 SPEAKER: The Chair recognizes

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1 Representative Harless in opposition.

2 REPRESENTATIVE HARLESS: Members,

3 Mr. Speaker, this amendment actually provides for free
4 ID cards for those who need it but this amendment will
5 create an opportunity for people to get a free driver's
6 license if they say they're going to use it to vote, and
7 I have to oppose the amendment.

8 SPEAKER: The Chair recognizes

9 Representative Martinez to close.

10 REPRESENTATIVE MARTINEZ: Okay. Members,
11 once again we're saying that a photo ID is free if
12 you're going to use it for voting but yet DPS can inform
13 you that if you're using it for voting that it's free.
14 So, if we're not going to be honest with the public when
15 they go in to renew their driver's license or get a
16 photo ID card, then what's the purpose of even having
17 this bill?

18 What we need to do is make sure that we
19 educate the public so that when they go in to renew
20 their ID or they go in to renew their driver's license
21 that they can get an ID for free if it's being used for
22 voting purposes.

23 No reason to mislead the public. We should
24 tell them. We should be honest and transparent. And I
25 ask you to vote no on the motion to table.

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1 SPEAKER: Mr. Martinez sends up an
2 amendment. Representative Harless moves to table. This
3 is on the motion to table. Vote aye, vote nay. Show
4 Representative Harless voting aye. Show Representative
5 Martinez voting no.

6 Have all voted? Have all voted? Being 100
7 ayes, 45 nays, the motion to table prevails.

8 Following the amendment, the clerk will read
9 the amendment.

10 CLERK: Amendment by Alonzo.

11 SPEAKER: Is Mr. Alonzo on the floor of the
12 House?

13 The amendment is temporarily withdrawn.

14 Is Mr. Dutton on the floor of the House?

15 Is Mr. Bohac on the floor of the House?

16 Following the amendment, the clerk will read
17 the amendment.

18 CLERK: Amendment by Bohac.

19 SPEAKER: The Chair recognizes
20 Representative Bohac.

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1 STATE OF TEXAS *
2 COUNTY OF HARRIS *

3

4 I, the undersigned certified shorthand reporter
5 and notary public in and for the State of Texas, certify
6 that the facts stated in the foregoing pages are true
7 and correct.

8

9 I further certify that I am neither attorney or
10 counsel for, nor related to or employed by, any of the
11 parties to the action in which this matter is taken and,
12 further, that I am not a relative or employee of any
13 counsel employed by the parties hereto, or financially
14 interested in the action.

15

16 SUBSCRIBED AND SWORN TO under my hand and seal of
17 office on this the 23rd day of April, 2012.

18

19
20 EDITH A. BOGGS, CSR
Certified Shorthand Reporter and
Notary Public in and for
the State of Texas
21
22 Notary Expires: 5-10-2012
Certificate No. 3022
Expiration date: 12-31-2013
23 Esquire Deposition Solutions, LLC
Registration No. 3
24
25

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